

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

TYQUANN STEWARD

v.

ALLEN COUNTY JAIL, et. al.

)
)
)
)
)

CAUSE NO. 1:16-cv-138-JTM-SLC

NOTICE OF PRELIMINARY PRETRIAL CONFERENCE
IN A PRO SE CASE
(James T Moody)

In accordance with Rule 16 of the Federal Rules of Civil Procedure, this cause is now set for a Pretrial Conference before Magistrate Judge Susan L. Collins to be held on Tuesday, November 1, 2016 at 10:30 a.m., local time.¹

Within 21 days of receipt of this Notice, any party appearing *pro se* and counsel shall indicate whether the parties are willing to consent to transfer this case to a Magistrate Judge for all purposes, including trial, by executing and submitting the consent form separately forwarded to the Clerk at fwclerks@innd.uscourts.gov or by depositing it in the U.S. mail.

At the conference any party appearing *pro se* and any counsel shall be prepared to address the following:

1. A proposed Discovery Plan under Fed. R. Civ. P. 26(f) to be filed no later than 5 business days prior to the pretrial conference. A suitable form of report and discovery plan ("Report of the Parties Planning Meeting")(hereafter, "Report"), is available on the Court's

¹The following **SHALL** attend this conference in person:

- a. Counsel who live or have offices in Allen County;
- b. Parties who live or have offices in Allen County. However, a personal appearance will not be required of incarcerated persons, because they will be contacted by telephone at their place of incarceration.

The following **SHALL** participate in the conference but **MAY** participate by telephone:

- a. Counsel who have offices outside Allen County;
- b. Parties who do not live or have offices in Allen County;

BUT TELEPHONE PARTICIPATION IS ALLOWED ONLY IF the clerk has been notified (260/423-3000) and given an appropriate telephone number, at least three (3) business days before the conference. **Failure to notify the clerk will result in your not being allowed to participate by phone.**

website, *innd.uscourts.gov*. However, if the Plaintiff is in custody of the United States, a state, or a state subdivision, no Report is required. *See*, Fed. R. Civ. P. 26(f). In either event, at the conference the Court will address those topics listed at Fed. R. Civ. P. 16(b) and (c). Failure to timely file the Report, if required, may result in the imposition of sanctions in accordance with Fed. R. Civ. P. 16(f). At the conference, it is anticipated that the court will approve or modify the Report, if such a Report is required, and will set a final pretrial conference date and a trial date;

2. If a party is represented by counsel, counsel are to deliver to their client, before the preliminary pretrial conference, a written estimate of the fees and expenses which their client will incur if this cause is fully litigated through trial. Counsel shall also file a signed certification with the Court before the preliminary pretrial conference stating as follows: *“I hereby certify that I have disclosed to my client(s) the anticipated fees and expenses that are likely to be incurred during each phase of these proceedings through final disposition.”*

Enter: September 26, 2016

S/ SUSAN L. COLLINS
UNITED STATES MAGISTRATE JUDGE